UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,549	07/03/2001	Erno Kovacs	450117-03450	2858

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EXAMINER
PATEL, HARESH N

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>15 November 2004</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-5,7,9 and 10</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-5,7,9 and 10</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-5, 7, 9-10, are presented for examination. Claims 6 and 8 are cancelled.

Response to Arguments

2.   Applicant's arguments regarding the amended claims filed 11/15/2004 have been fully

considered but they are not persuasive.

Applicant argues (1) Helgeson et al., Saba Software Inc (Hereinafter, Helgeson-Saba

Software), does not teach or suggest claimed limitations of claim 1, i.e., "a plurality of services

respectively structured according to a model-view-controller architecture", "providing access

from a client to a multimedia service and a controller and at least one view for the presentation of

the data of the model" and "Changes to claims are not made for the purpose of patentability

within the meaning of 35 U.S.C. 101, 102, 103, or 112. Rather, these changes are made simply

for clarification and to round out the scope of protection to which Applicants are entitled". The

examiner respectfully disagrees with the applicant's arguments. The limitations "an earlier

client's request", "forwarding, according to the model-view-controller architecture, the request",

has been newly added.   Hence, the scope of the amended claims is narrower than previously

presented claims. For the argument that Helgeson-Saba Software does not disclose all the

claimed limitations of claim 1, Helgeson-Saba Software very clearly discloses a plurality of

services (e.g., col., 4, lines 39 – 54, col., 5, line 56 – col., 6, line 11) respectively structured

according to a model-view-controller architecture (e.g., col., 11, lines 28 – 45, col., 49, line 55 –

col., 50, line 10, col., 50, line 53 – col., 51, line 40), providing access from a client (e.g, figures

1, 3) to a multimedia service (e.g., col., 51, lines 25 – 52) and a controller (e.g., col., 51, lines 54

– col., 52, line 38) and at least one view <u>for</u> the presentation of the data of the model (col., 49,

line 55 – col., 50, line 10). Since, applicant's claims contain broadly claimed subject matter, it

clearly reads upon the examiner's interpretation of these actions. Therefore, the rejection is

maintained.

Applicant argues (2) Helgeson-Saba Software does not teach or suggest "MVC

architecture for the communication between different services via the controller, as recited in

claim 1". The examiner respectfully disagrees in response to applicant's arguments. In response

to applicant's argument that the references fail to show certain features of applicant's invention,

it is noted that the features upon which applicant relies "MVC architecture for the

communication between <u>different</u> services <u>via</u> the controller" are not recited in the rejected

claim(s). Although the claims are interpreted in light of the specification, limitations from the

specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26

USPQ2d 1057 (Fed. Cir. 1993). What is claimed is "the services are designed to communicate

with each other by means of the controller". Helgeson-Saba Software very clearly teaches that

the services (e.g., col., 4, lines 39 – 54, col., 5, line 56 – col., 6, line 11) are designed to

communicate with each other (e.g., col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line 10,

col., 50, line 53 – col., 51, line 40), by means of the controller (e.g., col., 51, lines 54 – col., 52,

line 38). Therefore the rejection in maintained as disclosed above.   Since, applicant's claims

contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of

these actions. Therefore, Helgeson-Saba Software meets the claimed limitations.

Applicant argues (3) Helgeson-Saba Software does not teach or suggest "the state of the

controller is determined in accordance with an earlier client's request", "forwarding according to

the model view controller architecture". The examiner disagrees in response to applicant's

arguments. Helgeson-Saba Software very clearly discloses that the state of the controller is

determined in accordance with an earlier client's request (e.g., col., 11, lines 28 – 45, col., 49,

line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40) and forwarding according to the

model view controller architecture (e.g., col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line

10, col., 50, line 53 – col., 51, line 40). Since, applicant's claims contain broadly claimed subject

matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, the

rejection is maintained.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3.   Claims 1, 2, 4, 7, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

4.   Claim 1, recites the limitations, "the data of the model", "the services are designed".

There is insufficient antecedent basis for this limitation in the claim. Since, multiple models and

multiple different services exist in the claim, it is not clear which model and services are referred

by these limitations.

5.   Claim 2, recites the limitations, "the same service". There is insufficient antecedent basis

for this limitation in the claim.

6.   Claim 4, recites the limitations, "the service according to the mark-up language used".

There is insufficient antecedent basis for this limitation in the claim.   Since, multiple different

services exist in the claim, it is not clear which service is referred by these limitations.

7.   Claim 7, recites the limitations, "the presentation of data of the at least one model", "the

controller".   There is insufficient antecedent basis for this limitation in the claim.   Since,

multiple controllers exist in the claim, it is not clear which controller is referred by these

limitations.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in an application for patent, published under section 122(b), by another filed in
> the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

9.   Claims 1-5, 7, 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Helgeson

et al. 6,643,652 (Hereinafter Helgeson).

10.   As per claims 1 and 9, Helgeson teaches the following:

        portal application for implementation on a multipurpose computer for providing access

from a client (e.g., figures 1, 3) to a multimedia service (e.g., col., 51, lines 25 – 52),

        wherein the portal application comprises a plurality of services (e.g., col., 4, lines 39 –

54, col., 5, line 56 – col., 6, line 11, col. 7, lines 47 – 61),

respectively structured according to the model-view-controller architecture (e.g., col., 11,

lines 28 – 45, col., 49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40), and

respectively comprising at least one model containing data (e.g., database management

system 309, col. 11, lines 27 – 38, col., 49, line 55 – col., 50, line 10), a controller (e.g., col., 51,

lines 54 – col., 52, line 38) and at least one view for the presentation of data of the model (col.,

49, line 55 – col., 50, line 10), wherein the services (e.g., col., 4, lines 39 – 54, col., 5, line 56 –

col., 6, line 11) are designed to communicate with each other (e.g., col., 11, lines 28 – 45, col.,

49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40) by means of the controller

(e.g., col., 51, lines 54 – col., 52, line 38, col. 11, lines 27 – 38),

a plurality of views (e.g., an application would typically also include UI components

(such as JSP pages or servlets) which would use such business components, col., 27, lines 20-

47), for the presentation of data of different mark-up languages (e.g., HTML, XSL/XSLT,

WAP/WML, etc. figure 4),

multimedia service comprises a portal application (e.g., services offered by information

server, interface server, business server of the SABA business platform, figure 17),

sending a request to a first core service responsible for user management and/or

administrative processing (e.g., communication between the applications, common business

objects and the core services, figure 5),

forwarding, according to the model-view-controller architecture (e.g., col., 11, lines 28 –

45, col., 49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40), the request from the

first core service (e.g., figure 5, block 503) to a second special service (e.g., figure 5, blocks,

529, 531), and

establishing a communication between the client and the second special service (e.g.,

client connection to the SABA business platform services supported by the interface server,

figure 17, The present mechanism provides a solution to the needs described above through a

system and method for managing data exchange among systems in a network. The systems and

methods of the present mechanism translate data from a system specific local format to a generic

interchange format object, and vice versa, with predefined stylesheets using generic components

and a system specific service components which utilize a native application programming

interface of the specific local system, abstract).

11.   As per claims 2-5, 7, 10, Helgeson teaches the following:

a controller (e.g., Servlet, col., 27, lines 20-47) of a service is designed to select one of a

plurality of views (e.g., Java Server Pages, col., 27, lines 20-47) of the service according to the

mark-up language used, the state of the controller is a function of a client's request, the special

services are distributed over a network (e.g., HTML, XSL/XSLT, WAP/WML, etc. figure 4, The

present mechanism provides a solution to the needs described above through a system and

method for managing data exchange among systems in a network. The systems and methods of

the present mechanism translate data from a system specific local format to a generic interchange

format object, and vice versa, with predefined stylesheets using generic components and a

system specific service components which utilize a native application programming interface of

the specific local system, abstract),

the state of the controller is determined in accordance with an earlier client's request

(e.g., col., 114, lines 48 – 57, col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line 10, col., 50,

line 53 – col., 51, line 40) and forwarding according to the model view controller architecture

(e.g., col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line

40),

a controller of a service is designed to control at least one further controller of another

or the same service (e.g., Servlet controlling another servlet handling a service , col., 27, line 20

– col. 28, line 45),

a controller of a service is designed to control a plurality of views for different

presentations (e.g., Servlet controlling multiple Java Server pages for different user services, col.,

27, line 20 – col. 28, line 45),

depending on one of the browser characteristic of the client, device characteristics, time

and/or date location, language, and user preferences (e.g., depending on locales, languages,

timezones, and display formats, etc., col., 7, lines 5 – 61).

Conclusion

12.   The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and

not relied upon is considered pertinent to applicant's disclosure.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

February 6, 2005

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